SHRI SANTOSH BAGRODIA: Sir, ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Shri Raashid Alvi ...*(Interruptions)*... Zero Hour. ...*(Interruptions)*...

Now, the hon. Home Minister will reply ...*(Interruptions)*...

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## SHORT DURATION DISCUSSON

### The situation arissing out of heavy floods in various parts of country and the relief measures undertaken by the Government-Contd.

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Sir, I have already circulated a booklet giving information about the flood situation in different States in the country...*(Interruptions)*... The booklet gives information about the flood situation, about the relief provided, about the foodgrains given, about the funds given, about the other equipments given to cope up with the difficulties ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, Short Duration Discussion on ...*(Interruptions)*...

SHRI SHIVRAJ V. PATIL: Sir, some hon. members had raised a few good points with respect to the long-term measures ...*(Interruptions)*... I would have been very happy to speak on the long-term measures ...*(Interruptions)*.... Unfortunately, because of the situation in the House, it is not possible for me to deal with those points ...*(Interruptions)*... and talk about the policies the Government intends to adopt to provide long-term measures. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, the discussion and reply on Short Duration Discussion is over. Thank you. ...*(Interruptions)*... The House is adjourned till 2.00 p.m.

*The House then adjourned at twelve minutes past twelve of the clock.*

*The House reassembled after lunch at two of the clock.*

MR DEPUTY CHAIRMAN in the Chair.

## GOVERNEMNT BILL

### The Merchant Shipping (Amendment) Bill, 2007

MR. DEPUTY CHAIRMAN: Now, we shall take up The Merchant Shipping (Amendment) Bill, 2007. Shri T.R. Baalu. ...*(Interruptions)*...

DR. V. MAITREYA (Tamil Nadu): Sir, we want Joint Parliamentary Committee ...*(Interruptions)*...

SHRI N. JOTHI (Tamil Nadu): Mr. Deputy Chairman, Sir, we want ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let the Legislative Business be over. ...*(Interruptions)*... I will give you a chance. ...*(Interruptions)*...

SHRI S.S. AHLUWALI (Jharkhand): Sir, this is not the ...*(Interruptions)*...

**श्रीमती सुषमा स्वराज** (मध्य प्रदेश): उपसभापति जी, आप मेरी बात सुनिए ...**(व्यवधान)**...

**श्री उपसभापतिः** क्वैश्चन ऑवर तो हो गया ...**(व्यवधान)**... आपका नोटिस क्वैश्चन ऑवर के suspension के लिए था ...**(व्यवधान)**... मंत्री जी, आप बोलिए ...**(व्यवधान)**... मैं बुलाऊँगा, जरूर बुलाऊँगा ...**(व्यवधान)**... लेकिन पहले कुछ बिजनेस तो होने दीजिए ...**(व्यवधान)**... मंत्री जी, आप बोलिए ...**(व्यवधान)**...

THE MINISTER OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS (SHRI T.R. BAALU): Sir. I beg to move:

> "That the Bill further to amend the Merchant Shipping Act, 1958 and the Indian Ports Act, 1908, as passed by Lok Sabha, be taken into consideration."

Mr. Deputy Chairman, Sir, with your permission, I would like to say a few words on the Merchant Shipping (Amendment) Bill, 2007. ...*(Interruptions)*... Sir, the Merchant Shipping (Amendment) Bill, 2004 was considered by the Lok Sabha on 14th August, 2007 and the House passed the Bill. ...*(Interruptions)*...

**श्रीमती सुषमा स्वराजः** सर, आप हमारी बात तो सुनिए ...**(व्यवधान)**...

**श्री उपसभापतिः** बोलिए ...**(व्यवधान)**...

SHRI V. NARAYANASA (Puducherry): Sir, the Minister is on his legs. ...*(Interruptions)*...

**श्रीमती सुषमा स्वराजः** दो दिन से नेता विपक्ष बोलना चाह रहे हैं ...**(व्यवधान)**... कल उन्होंने अपना नोटिस दिया ...**(व्यवधान)**... उस नोटिस के बाद जो भी चेयर पर थे, उन्होंने उन्हें नहीं बुलाया ...**(व्यवधान)**... न उनकी तरफ देखा, न उनको बोलने दिया ...**(व्यवधान)**... नेता प्रतिपक्ष के नोटिस का आप संज्ञान नहीं ले रहे हैं ...**(व्यवधान)**... नेता प्रतिपक्ष को आप बोलने नहीं देते ...**(व्यवधान)**... यह हाउस ऐसे चलेगा क्या? ...**(व्यवधान)**...

**श्री उपसभापतिः** नहीं। आपके co-operation के बगैर हाउस कैसे चलेगा ...**(व्यवधान)**... We have to do some business ...*(Interruptions)*... सबका co-operation चाहिए न ...**(व्यवधान)**...

SHRI T.R. BAALU: Before I move the Merchant Shipping (Amendment) Bill, 2007 for consideration by this House, I would like to give a brief background of the situation that necessitated amendments in the Merchant Shipping Act, 1958 and the Indian Ports Act, 1908.

Consequent upon the tragic events of 11th September, 2001 in the US, the International Maritime Organization in November, 2001 unanimously agreed to develop and adopt new measures relating to the security of ships and port facilities by a Conference (known as Diplomatic Conferenc on Maritime Security) of the Contracting Governments to the International Convention for Safety of Life at Sea (SOLAS 1974). ...*(Interruptions)*... With your permission, Sir, I lay the remaining portion of my speech on the Table of the House.

**श्रीमती सुषमा स्वराजः** अकेले सरकार और चेयर हाउस चला सकते हैं क्या? ...**(व्यवधान)**...

**श्री उपसभापतिः** हम लोग चैम्बर में जो डिसकस करते हैं, यहाँ उससे अलग बात होती है ...**(व्यवधान)**... What the Chair can do? What is decided is not followed here. ...*(Interruptions)*...

SHRI T.R. BAALU: Sir, India has ratified the international convention SOLAS, 1974 on 16 June, 1976 which came into force on 25 May, 1980. This Convention has been amended from time to time to incorporate provisions pertaining to safety of ships. During the Diplomatic Conference on Maritime Security held in December, 2002, amendments to the SOLAS 1974 were adopted including the adoption of the International Ship and Port Facility Security Code (ISPS).

The objectives of the ISPS Code are

(a) to establish an international framework involving cooperation between contracting Governments, Government agencies and shipping and port industries to detect security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade;

(b) to establish the respective roles and responsibilities of the Government, Government agencies, local administration and the shipping and port industries at the national and international level for ensuring maritime security;

(c) to ensure early and efficient collection and exchange of security-related information;

(d) to provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels; and

(e) to ensure confidence that adequate and proportionate maritime security measures are in place.

The ISPS Code will bring about uniformity in addressing security related issues of onboard ships and the ports in our country. The Code envisages three security levels commencing from level 1 to the highest level, that is, level 3. Each level shall require additional measures to heighten the security of ports/ships. Each ship and port will be guided by an approved Ship Security Plan/Port Facility Security Plan.

In order to give effect to the provisions of the SOLAS 1974, each contracting Government is required to promulgate laws, decrees, orders and regulations, as considered necessary, so as to give full and complete effect to the Convention. This is with a view to ensure that ships and ports are fit for the service for which they are intended.

The Merchant Shipping (Amendment) Bill, 2004 was originally introduced in the Lok Sabha on 23rd December, 2004. The Bill was referred to the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture for examination and report. The Report of the Parliamentary Standing Committee was presented to both Houses of Parliament on 27th July, 2005.

The Committee in its report, recommended that the Bill be passed after incorporating official amendments and taking into account its recommendations in respect of Section 344 A, 344 L, 344 Q and 344 J along with the recommendations contained in paras 14, 17, 23, 25, 29, 37, 45 and 47 of the said report. The aforementioned amendments and recommendations have been considered by the Government and included appropriately in the Merchant Shipping (Amendment) Bill which was considered and passed by the Lok Sabha on 14th August, 2007 as the Merchant Shipping (Amendment) Bill, 2007.

I, therefore, give notice of my intention to move the motion that the Merchant Shipping (Amendment) Bill, 2007 as passed by the Lok Sabha be taken into consideration by the Rajya Sabha and that the Bill be passed by the House.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Does any Member want to speak on this Bill? ...*(Interruptions)*... The question is:

> "That the Bill further to amend the Merchant Shipping Act, 1958. and the Indian Ports Act, 1908, as passed by Lok Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

***Clauses 2 to 7 were added to the Bill.***

*Clause I, the Enacting Formula and the Title were added to the Bill.*

SHRI T.R. BAALU: Sir, I move:

> "That the Bill be passed".

*The question was put and the motion was adopted.*

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**Re.: Demand for JPC and discussion on the Indo-US Nuclear Agreement**

MR. DEPUTY CHAIRMAN: Now, we shall take up Short Duration Discussion on the situation arising out of the Indo-US Nuclear Agreement. Shri Ram Jethmalani ...*(Interruptions)*... Dr. Murli Manohar Joshi. ...*(Interruptions)*... Shri Raj Mohinder Singh Majitha. ...*(Interruptions)*...

SHRI YASHWANT SINHA (Jharkhand): Mr. Deputy Chairman, Sir, this is not going ...*(Interruptions)*...

THE MINISTER OF STATE IN THE MINISTER OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY PARLIAMENTARY AFFAIRS (SHRI SURESH PACHOURI): Sir, we want discussion on the Nuclear Agreement. ...*(Interruptions)*... उपसभापति महोदय, आज के लिस्ट ऑफ बिजनेस में Indo-US Nuclear Agreement पर discuêsion listed है ...**(व्यवधान)**... हम